



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GANGFENG CAI
TA YEN CHING
HU YANG

Serial No.: 09/664,993

Filed: 9/18/00

For: OXYGEN SCAVENGERS WITH
REDUCED OXIDATION PRODUCTS
FOR USE IN RIGID BEVERAGE AND
FOOD CONTAINERS

Group Art Unit: 1772

Examiner: Sandra M. Nolan

Attorney Docket: 2039.006100/RFE

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

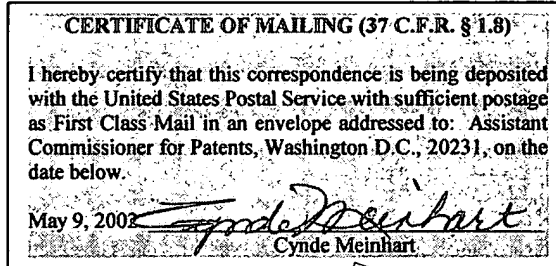
Sir:

Please amend this application as follows:

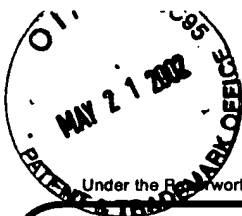
In the Claims

Amend claim 1, to read as follows:

1. (Twice Amended) A multi-layer rigid container for food or beverage packaging comprising at least an inner layer providing substantially all of the interior surface of the rigid container, an outer layer and a core layer substantially coextensive between the inner layer and the outer layer, wherein the inner and outer layers are comprised of an aromatic polyester or copolyester, and wherein the core layer is comprised of (i) an oxygen scavenging



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PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/664,993
Filing Date	September 18, 2000
First Named Inventor	Gangfeng Cai #13
Group Art Unit	1772
Examiner Name	Sandra M. Nolan 5-3000
Attorney Docket Number	2039.006100/RFE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0786/2039.006100RFE
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 05/22/2002 AWONDAF1 00000072 09664993
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:179 740.00 DP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 740 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Raymund F. Eich	Registration No. (Attorney/Agent)	42,508
Signature	<i>Raymund F. Eich</i>	Date	May 9, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Cynde Meinhardt	Date	May 9, 2002
Signature	<i>Cynde Meinhardt</i>		

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